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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DAHM *et al.*

Serial No.: 09/601,645

Confirmation No.: 7793

National Stage of: PCT/EP99/00716

International Filing Date: February 3, 1999

Commencement of National Stage:
August 8, 2000

For: *METHOD FOR THE
QUANTITATIVE
DETERMINATION OF TUMOR
CELLS IN A BODY FLUID AND
TEST KITS SUITABLE THEREOF*

Art Unit: Unassigned

Examiner: Unassigned

INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE
WITH 37 C.F.R. §§ 1.97-1.98

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Because this Information Disclosure Statement is filed prior to receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Forms PTO-1449 (3

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pages) and copies of the cited documents are provided herewith, via hand delivery, in connection with the above-captioned application.

With exception of those listed below, the documents listed on the Forms PTO-1449 and supplied herewith are in the English language. The publication by Göttlinger and Radbruch (item AY) is in the German language. International PCT application No. 98/59040 (item AN) is also in the German language and is provided with an English language Derwent abstract (item AV) which describes the subject matter. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Examiner the following U.S. and International applications, which are commonly owned and/or have one or more inventors in common.

<u>U.S.S.N.</u>	<u>Filing Date</u>
09/068,821	05/14/98
09/215,431	12/17/98
09/380,415	08/31/99
09/402,840	10/12/99

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

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Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

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Date: April 27, 2001
Attorney Docket No. 24741-1509US
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